

SUMMARY AND RECOMMENDATION

6. HERITAGE DESIGNATIONS AND HERITAGE REVITALIZATION AGREEMENT (HRA):
437 Vernon Drive (Jeremiah McDevitt House) and 445 Vernon Drive (Flora McDevitt House)

Summary: To designate the two existing heritage buildings as protected heritage properties and approve a Heritage Revitalization Agreement (HRA) to permit a subdivision of the site into three separate parcels and construct a one-family and a two-family dwelling on one of the new parcels. The application proposes variances to both the Subdivision and Zoning and Development By-laws.

Applicant: Scott Kennedy, Cornerstone Architecture
Donald Luxton, Donald Luxton & Associates

Recommended Approval: By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* by-laws to designate as protected heritage properties the heritage buildings, known as the Jeremiah McDevitt House and the Flora McDevitt House (the "heritage buildings"), at 437 and 445 Vernon Drive [PIDs: 015-365-468 and 015-365-476; Lots 18 & 19, Block 14 of Block A, District Lot 182, Plan 355 (the "site")].
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for a Heritage Revitalization Agreement to:
 - (i) secure the rehabilitation and long-term preservation of the heritage buildings;
 - (ii) vary the *Subdivision By-law* and the *Zoning and Development By-law* to permit a subdivision of the site into three new parcels and to permit the positioning of each of the heritage buildings within one and the construction of a new One-Family Dwelling and a new Two-Family Dwelling within the other of the new parcels as proposed under Development Permit Applications DE415250, DE415254, and DE415255, and as more particularly described in the Policy Report dated November 27, 2012, entitled "437 Vernon Drive - Jeremiah McDevitt House and 445 Vernon Drive - Flora McDevitt House - Heritage Designations and Heritage Revitalization Agreement".
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, and given priority on title to the Lands, to the satisfaction of the Director of Legal Services and the General Manager of Planning and Development Services.
- D. THAT Recommendations A to C be adopted on the following conditions:

- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
- (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[HD/HRA - 437 Vernon Drive (Jeremiah McDevitt House) and
445 Vernon Drive (Flora McDevitt House)]